

REMARKS

In the Office Action, the Examiner objected to the specification under 35 U.S.C. 112, first paragraph. The Examiner objected to the claims and additionally objected to claim 3 for informalities. Claims 1-4 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1 and 3-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Horikawa in U.S. Patent No. 4,109,608, and North in U.S. Patent No. 2,031,785. Claim 2 was rejected under 35 U.S.C. 103(a) as being unpatentable over Horikawa in U.S. Patent No. 4,109,608, and North in U.S. Patent No. 2,031,785.

In response to the informalities noted by the Examiner, claims 2-4 have been canceled and claim 1 has been amended with the subject matter of claim 2-4 incorporated into claim 1. Additionally, the specification has been revised in a substitute specification. A marked up and a clean copy of the specification are attached.

In response to the rejection in view of prior art, the Horikawa patent describes the transfer through the body of the sound producing device of a band shaped sheet 74 of paper. Further, coil spring 34 acts as an actuating force rather than as a repositioning spring.

In contrast, by the present invention, an entirely self contained mechanism is included in the gun body. A trigger activates a power source and a cam portion to slidingly move an air pump which has been energized electrically to provide air pressure to a seal body and ultimately through a portion of a rubber film. The rubber film includes a feed roll and a take up roll housed entirely within the gun body. Further, a repositioned spring engages the air pump to return the air pump to an original position after firing.

The complicated structure of the Horikawa patent produces a sound by an entirely different mechanism operating in an entirely different way than the present invention. The only similarity with the present invention is that a sound is produced.

By the amendments to claim 1, all of the component pieces of the present invention have been defined as being mounted in or located in the gun body. The component pieces interact differently than in Horikawa and provide a simplified structure for producing a detonated sound. Accordingly, the present invention as defined in amended claim 1 is patently distinguished over the Horikawa patent.

The secondary reference to North et al. only discloses the material which is used to provide a detonation sound. Accordingly, the combination of patents cited in the Office Action fail to arrive at the present invention as defined in amended

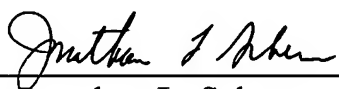
claim 1. Accordingly, the captioned application should now be in condition for allowance.

Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

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